

Appl. No.09/331,818  
Response to Office Action dated May 20, 2003

### REMARKS

Claims 1-3, 9 and 10 are now in the case. Claim 4 has been cancelled. Claims 5-8 and 11 stand withdrawn from consideration. The Examiner objects to Applicants' amendment of April 15, 2003 for the reasons of record stated on page 2 of the Office Action. Claims 1 and 10 have been amended to more specifically define the non-phosphorous builders used in the compositions. Basis for this is found on page 5, beginning at the third paragraph and in Example II found on page 17 of the instant specification. No new matter is added. Applicants respectfully request the Examiner to reconsider and withdraw this objection.

### REJECTIONS UNDER 35 U.S.C. 102(b)

Claim 1 is rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. 5,753,216 (Leitch) for the reasons of record stated at page 3 of the Office Action. Claim 1 has been amended to more specifically define the builders. U.S. '216 does not teach *inter alia* the builders of the instant invention. Hence, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

Claims 1 - 3, 9, and 10 are rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. 5,837,666 (Murata et al.) for the reasons of record stated at page 3 and 4 of the Office Action. Applicants respectfully traverse this rejection on the basis that U.S. '666 does not teach a modified cellulose ether wherein *inter alia* "R is a combination of H and C<sub>8</sub> - C<sub>24</sub> with alkyl substitution of the anhydroglucose rings ranging in the amount of from 0.1% to 5% by weight of the cellulose ether material". Hence, Applicants respectfully request that the rejection over Murata be reconsidered and withdrawn.

Claims 1 and 2 are rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. 4,205,063 (Khalil et al.) for the reasons of record stated at page 4 of the Office Action. As indicated above, Claim 1 of the instant application has been amended to more specifically define the builders of the instant invention. U.S. '063 does not teach *inter alia* the builders of the instant invention. Furthermore, U.S. '063 does not teach a modified cellulose ether wherein *inter alia* "R is a combination of H and C<sub>8</sub> - C<sub>24</sub> with alkyl substitution of the anhydroglucose rings ranging in the amount of from 0.1% to 5% by weight of the cellulose ether material". Hence, Applicants respectfully request that the rejection over U.S. '063 be reconsidered and withdrawn.

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In light of the foregoing, it is submitted that Claims 1-3, 9 and 10 are in condition for allowance. Early and favorable action is requested.

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**SUMMARY**

This document is responsive to the U.S.P.T.O. Office Action Summary dated May 20, 2003. Applicants respectfully request that the Examiner reconsider and withdraw the claim rejections and allow the claims remaining in the instant application. Applicants request a one-month extension of time to respond to this action. No new matter is added.

Respectfully submitted,

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